

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THOMAS BROWN, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

CHINA SUNERGY CO., LTD.,
TINGXIU LU, JIANHUA ZHAO, JAMES
SHAOFENG QI, GUANGYOU YIN,
FENGMING ZHANG, SHILIANG GUO,
MERRILL LYNCH, PIERCE, FENNER
& SMITH INC., COWEN & CO, LLC.
and JEFFERIES & CO., INC,

Defendants.

CIVIL ACTION NO. 07-7895

JUDGE DEBORAH A. BATTS

(Caption continued on the following page)

**[PROPOSED] ORDER CONSOLIDATING ALL RELATED ACTIONS; APPOINTING
LEAD PLAINTIFF; AND APPROVING PROPOSED LEAD PLAINTIFF'S CHOICE OF
COUNSEL**

ADEL SESHTAWAY, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

CHINA SUNERGY CO., LTD.,
TINGXIU LU, JIANHUA ZHAO, JAMES
SHAOFENG QI, GUANGYOU YIN,
FENGMING ZHANG, SHILIANG GUO,
MERRILL LYNCH, PIERCE, FENNER
& SMITH INC., COWEN & CO, LLC.
and JEFFERIES & CO., INC,

Defendants.

CIVIL ACTION NO. 07-8656

JUDGE DEBORAH A. BATTS

ANTHONY GIOMBETTI, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

CHINA SUNERGY CO., LTD.,

Defendant.

CIVIL ACTION NO. 07-9689

JUDGE DEBORAH A. BATTS

Having considered the motion of the Tonyaz Group to consolidate all related cases, to be appointed Lead Plaintiff, and to approve proposed Lead Plaintiff's choice of counsel, and all papers in support thereof and in opposition thereto, and oral argument, if any, and good cause appearing therefor:

1. The Actions are hereby consolidated;
2. The Tonyaz Group is hereby appointed Lead Plaintiff for the Class pursuant to Section 27(a)(3)(B) of the Securities Act of 1933; and
3. The law firm of Kahn Gauthier Swick, LLC is hereby appointed Lead Counsel for Lead Plaintiff and the Class.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE